REMARKS/ARGUMENTS

Claims 1-19 are currently pending in the patent application, claim 20 has been added with this amendment. Of the pending, rejected claims, only claim 18 is the only independent claim. Claims 19-20 depend from this independent claim. As the Court noted in *In re Fine*, "dependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious." 5 U.S.P.Q.2d 1569, 1600 (Fed. Cir. 1988). Using this same rationale, dependent claims cannot be anticipated if the independent claims from which they depend are not anticipated. Since the Applicant respectfully asserts that these independent claims are allowable, dependent claims 19-20 are also allowable. Thus, the Applicant respectfully requests allowance of all the pending claims in view of the subsequent remarks regarding the above-mentioned independent claims.

I. Remarks re amended or newly presented claims

There is clear support for amended claim 18 in the current patent application. More specifically, the support for these newly presented/amended claims can be found in FIG. 3A-3C and the detailed description in paragraph 24 through paragraph 30. Therefore, the Applicant asserts that newly presented/recently amended claims do not constitute new matter and should be entered in the current application.

Therefore, the Applicant respectfully requests admission of these claims in present application. Moreover, these amendments do not narrow the associated claim nor relate to patentability. Rather, they are only clarifying amendments that make explicit what was previously implicit.

II. Remarks re 35 U.S.C. §102 rejections

In the Office Action, claims18-20 are rejected under 35 U.S.C. §102 as allegedly unpatentable over U.S. Patent No. 6,496,317 issued to David ("Lacombe Patent"). Since this anticipation rejection applies to independent claim 18 and the allowance of the dependent claims necessarily follows allowable independent claims, the remaining comments regarding anticipation will focus on these independent claims. *Id.*

A proper rejection of a claim under 35 U.S.C. § 102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540,

220 USPQ 303, 313 (Fed. Cir. 1983). Those elements must either be inherent or disclosed expressly. *See, e.g., Constant v. Advanced Micro-Devices, Inc.,* 848 F.2d 1560, 7 USPQ2d 1057 (Fed. Cir. 1988); *Verdegaal Bros., Inc. v. Union Oil Co.,* 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). The test is the same for a process. Anticipation requires identity between the claimed process and a process of the prior art. The claimed process, including each step thereof, must have been described or embodied, either expressly or inherently, in a single reference. *See, e.g., Glaverbel S.A. v. Northlake Mkt'g & Supp., Inc.,* 45 F.3d 1550, 33 U.S.P.Q.2d 1496 (Fed. Cir. 1995). Further, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *See, e.g., Scripps Clinic & Res. Found. v. Genentech, Inc.,* 927 F.2d 1565, 18 U.S.P.Q.2d 1001 (Fed. Cir. 1991). In summary, the single prior art reference must properly disclose, teach or suggest each element of the claimed invention, or each step of the claimed process. Moreover, "every element of the claimed invention must be literally present, arranged as in the claim. ... The identical invention must be shown in as complete detail as is contained in the patent claim." *See, e.g., Richardson v. Suzuki Motor Company Co.* 868 F.2d 1226, 1236 (Fed. Cir. 1989).

Amended claim 18 recites a method of providing a write current to an inductive head element in a disk drive system, comprising: providing current pulses for individually defining a positive edge and a negative edge of said write current; differentially and individually varying respective overshoot amplitudes and durations of said positive edge current pulse and said negative edge current pulse for counteracting induced imbalances in said write current.

Claim 18 is not anticipated for at least the reason that the Lacombe Patent does not disclose all of the limitations recited in this amended claim. Anticipation requires that a single prior art reference must properly disclose or teach each element of the rejected claim. The Lacombe Patent does not meet this standard. Therefore, this patent cannot anticipate this claim. Hence, it cannot anticipate claims 18-20, which depend from Claim 18. If the Applicant has overlooked sections that disclose the claimed limitations, he respectfully requests that the Examiner more clearly identify them.

CONCLUSION

Claims 1-19 are currently pending in the patent application; claim 20 has been added with this amendment. Of the pending, rejected claims, only claim 18 is the only independent claim.

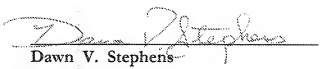
Since the Applicant respectfully asserts that this independent claim is allowable, corresponding dependent claims are also allowable. Thus, Applicant respectfully requests allowance of all the pending claims in view of the previous remarks regarding the above-mentioned independent claims.

While it is believed that this response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

It is believed that this response is timely filed without an extension of time. If there is an error, the Applicant respectfully petitions for an Extension of Time under 37 C.F.R. §1.136. The Commissioner is hereby authorized to apply any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,

TEXAS INSTRUMENTS INCORPORATED



Dawn V. Stephens
Registration No. 44,355
Date: August 28, 2009

Texas Instruments Incorporated
P.O. Box 655474, MS 3999
Dallas, TX 75265
972.917.5443 (phone)
972.917.4418 (facsimile)